

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

CR-19-36-GF-BMM

Plaintiff,

vs.

JERAL EDGAR JOHNSON,

ORDER

Defendant.

Defendant Jeral Edgar Johnson appeared before United States Magistrate Judge John Johnston on June 26, 2019, and entered a plea of guilty to one count of Domestic Abuse by a Habitual Offender in violation of 18 U.S.C. § 117(a), as charged in the Indictment. Judge Johnston entered Findings and Recommendations on September 25, 2018. (Doc. 33). Judge Johnston determined: (1) that Johnson was fully competent and capable of entering an informed and voluntary plea; (2) that Johnson was aware of the nature of the charge against him and the consequences of pleading guilty to the charge; (3) that Johnson understood his constitutional rights, and the extent to which he was waiving those rights by pleading guilty; and (4) that Johnson's plea of guilty was a knowing and voluntary plea supported by an independent basis in fact establishing each of the essential

elements of the offenses charged in the Indictment. (Doc. 25 at 1-2.) Judge Johnston recommended that this Court accept Johnson's plea of guilty to the criminal charge set forth in Count I of the Indictment, and that sentence be imposed. (Doc. 25 at 2.) Neither party filed objections to Judge Johnston's Findings and Recommendations.

The Court has reviewed Judge Johnston's Findings and Recommendations for clear error given that no objections were filed. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981). The Court finds no error in Judge Johnston's Findings and Recommendations, and adopts them in full.

Accordingly, **IT IS ORDERED:**

1. Johnson's Motion to Change Plea (Doc. 20) is **GRANTED**

DATED this 11th day of July, 2019.

A handwritten signature in blue ink that reads "Brian Morris". The signature is fluid and cursive, with "Brian" on the top line and "Morris" on the bottom line.

Brian Morris
United States District Court Judge